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Petition in the case of Antoni AWDZIEJ against the sentence of ten years imprisonment passed by the G.C.M. at Lüneburg on the 17 Nov 1945.

The accused Antoni AWDZIEJ is concerned with the 1 charge / Belsen / only. See charge sheet.

The evidence against him is in vol 17/page 2 and 3. and 18/3. His defence is in vol 13/11 and 17, vol 35/15, 16 and 17, and vol 44/ page 2- 21.

The accused has been sentenced to ten years imprisonment by the G.C.M. Court.

Again in my submission the Court has:

- 1/ attached too much weight to the unsworn statements made by the deponents to some German official,
 - 2/ the court has not been confronted with any of the witnesses for the prosecution in this case.
 - 3/ the only prosecution witness who has recognised the accused in the dock was Sompolinski 13/11 and 13/17 and spoken in favour of him.
 - 4/ his only appointment was stubendienst - lowest possible function held by a prisoner, with insignificant duties but difficult to perform in a block with 1200 prisoners mostly ill.
 - 5/ his witness Andrzejewski and his former superior in the block the accused Schlomoivich / who was acquitted / have both denied the allegations made against him.
 - 6/ the accused has been deported from his home into Germany for work when 16 years old - and thus has grown a man in concentration camps, where he stayed till 15 April 1945.
 - 7/ if even he had perpetrated acts of brutality, he could not be held responsible as a prisoner then, in a way proper in the case of a mature man, free and aware of his duties and rights.
 - 8/ he is again himself a victim of war.
 - 9/ has held his position for not more than 3 weeks at Belsen
 - 10/ has the same sentence passed against him as several other SS men who were free men, really and directly responsible for and controlling the conditions of the concentration camp.
 - 11/ especially in the case of this youngster it is not so much punishment as reeducation which he primarily requires.
- Therefore in my submission the sentence passed against this man is not justified.
- He was arrested by the British on the 4 th of July 1945.

At: A. Jędrzejewicz
A. Jędrzejewicz
Defending Officer appointed.